

## Message Text

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EB-08 OES-07 DODE-00 /086 W  
-----083993 181739Z /41

R 181424Z AUG 77  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC 5124  
INFO AMEMBASSY BERLIN  
AMEMBASSY BONN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
USMISSION NATO

C O N F I D E N T I A L SECTION 1 OF 3 USBERLIN 2176

E.O.11652: XGDS-1  
TAGS: PINT, BQG  
SUBJECT: SENAT-GDR TALKS AUGUST 15

SUMMARY. GDR VISITS COMMISSIONER MITDANK MET WITH HIS SENAT COUNTERPART KUNZE AUGUST 15 UNDER PROCEDURES WORKED OUT AS PART OF THE RESUMPTION OF FRG-GDR POLITICAL TALKS. MITDANK STATED GDR PREPARED TO NEGOTIATE SOLUTIONS TO THE TELTOW CANAL, SUEDEGELAENDE, NORTHERN CROSSING POINT AND SPANDAU LOCK PROJECTS, BUT MISSION'S INITIAL IMPRESSIONS OF GDR PROPOSALS ARE THAT NOTHING SUBSTANTIALLY NEW HAS BEEN OFFERED. SENAT IS PLEASED THAT TALKS HAVE RESUMED AFTER ALMOST TWO-MONTH PAUSE, BUT FEELS UNDER NO PRESSURE OR COMPULSION TO COMPLETE QUICKLY NEGOTIATIONS ON ANY OF THE ITEMS RAISED BY ITDANK. END SUMMARY.

1. GDR VISITS COMMISSIONER MITDANK MET WITH SENAT'S REPRESENTATIVE GERHARD KUNZE FOR 3-1/2 HOURS AUGUST 15, RESUMING AFTER A HIATUS OF ALMOST TWO MONTHS DISCUSSIONS  
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BETWEEN THE SENAT AND GDR ON A SERIES OF BERLIN PROBLEMS. THE MEETING WAS HELD OVER LUNCH AT THE SENAT GUESTHOUSE, A DEPARTURE FROM THE ROUTINE, IN HONOR OF THE FACT THE MEETING WAS THE 100TH IN THE CURRENT SERIES. MITDANK OPENED THE DISCUSSIONS WITH STATEMENT THAT GDR WAS BASICALLY PREPARED TO IMPROVE ITS NORMAL RELATIONS WITH WEST BERLIN. HE NOTED, HOWEVER, THAT GOOD RELATIONS COULD ONLY BE

ACHIEVED IN A QUIET AND OBJECTIVE (SACHLICH) ATMOSPHERE. HE WARNED THAT ATTACKS ON AND DEFAMATION OF THE GDR, AND EFFORTS TO INTERFERE IN ITS INTERNAL AFFAIRS WOULD ONLY HARM RELATIONS.

2. MITDANK SPENT SOME TIME REVIEWING POSITIVE TRENDS WHICH HAVE CONTINUED TO MARK CONDITIONS AFFECTING TRANSIT TRAFFIC THROUGH AND VISITS TO THE GDR BY WEST BERLINERS. WHILE THESE WERE POSITIVE SIGNS IN THE STATE OF WEST BERLIN-GDR RELATIONS, MITDANK TOOK THE INITIATIVE IN NOTING THAT IN RECENT MONTHS A LARGE NUMBER OF FORMER GDR CITIZENS HAD ATTEMPTED TO RETURN TO EAST GERMANY FOR VISITS, AND HAD BEEN TURNED BACK BY THE GDR. MITDANK INSISTED THAT THE GDR WAS COMPLETELY WITHIN ITS RIGHTS WHEN IT DECIDED WHO COULD AND WHO COULD NOT ENTER ITS SOVEREIGN TERRITORY, AND THAT FORMER GDR CITIZENS WHO HAD LOST THEIR CITIZENSHIP WHEN THEY ABANDONED THE GDR HAD NO MORE RIGHT TO ENTER THE COUNTRY THAN DID ANY OTHER FOREIGNER. BY IMPLICATION MITDANK MADE CLEAR SENAT SHOULD NOT CONTINUE TO PROTEST ABOUT THIS SUBJECT.

3. MITDANK ALSO NOTED THAT ALTHOUGH THE GDR WAS NOT A SIGNATORY OF THE QUADRIpartite AGREEMENT, IT WAS OF COURSE AFFECTED BY THE QA'S IMPLEMENTATION. HE STRESSED THAT GOOD RELATIONS WITH WEST BERLIN REQUIRED THAT THE QA BE STRICTLY OBSERVED. WITHOUT CITING SPECIFICS, MITDANK COMPLAINED THAT IN THE PAST A NUMBER OF EVENTS HAD OCCURRED IN WEST  
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BERLIN WHICH WERE DESIGNED TO MAKE IT APPEAR THAT WEST BERLIN BELONGED TO THE STATE STRUCTURE OF THE FRG. EVENTS OF THIS TYPE ONLY CREATE TENSIONS, MITDANK OBSERVED, AND CANNOT CONTINUE IF THE INTERESTS OF DETENTE ARE TO BE SERVED.

4. HAVING COMPLETED HIS INTRODUCTORY REMARKS, MITDANK DECLARED THE GDR WAS PREPARED TO ADDRESS A SERIES OF QUESTIONS WHICH CONCERNED THE RELATIONS OF THE GDR AND WEST BERLIN. MITDANK MADE THE DISCLAIMER THAT THESE MATTERS CONCERNED ONLY WEST BERLIN AND THE GDR, AND WERE NOT A MATTER OF CONCERN OF THE FRG. IT WAS ONLY APPROPRIATE, THEREFORE, THAT THEY BE DEALT WITH BY REPRESENTATIVES OF THE SENAT AND THE APPROPRIATE OFFICES OR MINISTRIES OF THE GDR. SPECIFICALLY, MITDANK ADDRESSED THE FOLLOWING POINTS:

5. NORTHERN CROSSING POINT. MITDANK DECLARED THAT THE GDR WAS PREPARED TO OPEN A CROSSING POINT "IN THE STOLPE/ BIRKENWERDER" AREA. THE SENAT MUST BEAR THE ENTIRE COST OF CONSTRUCTING THE CROSSING POINT, ESTIMATED AT ABOUT

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R 181424Z AUG 77  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC 5125  
INFO AMEMBASSY BERLIN  
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DM 28 MILLION. FURTHER, THE GDR COMPLETELY REFUSED TO CONSIDER SELLING OR EXCHANGING TERRITORY FOR THE SO-CALLED DUCKBILL. UNDER QUESTIONING FROM KUNZE, MITDANK ADMITTED THAT THE GDR STILL INSISTED THE CROSSING POINT BE ERECTED ON ZERNDORFERWEG AS THEY HAD INSISTED ALL ALONG. MITDANK TRIED TO GET KUNZE TO CONSIDER USING THE ABANDONED S-BAHN ROADBED IN FROHNAU AS AN ACCESS WAY TO ZERNDORFERWEG, BUT KUNZE REJECTED THIS SUGGESTION, NOTING THAT THE S-BAHN ROADBED IS NOT USABLE FOR THIS PURPOSE.

6. OPENING THE TELTOW CANAL. MITDANK SAID THE GDR WAS PREPARED TO CONTINUE DISCUSSIONS ON THIS PROPOSAL. THE GDR WILL NEGOTIATE ON THE BASIS THAT THE TELTOW CANAL HANDLES INTERNAL (WEST BERLIN) SHIPPING AND THAT THE FRG HAS NO COMPETENCE IN THE MATTER. DISCUSSIONS SHOULD THEREFORE BE CONDUCTED BY REPRESENTATIVES OF THE GDR MINISTRY FOR TRANSPORT AND SENATOR FOR CONSTRUCTION AND HOUSING. THE SENAT MUST BEAR THE FULL COST OF REOPENING THE CANAL, APPROXIMATELY DM 90 MILLION.

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7. SUEDEGELAENDE. MITDANK SAID THE GDR WAS PREPARED TO RESUME DISCUSSIONS WITH THE UNDERSTANDING THAT THE FINANCING OF A NEW FREIGHT STATION AS WELL AS THE PREPARATIONS FOR ITS CONSTRUCTION WOULD BE PAID BY THE SENAT AS CONTEMPLATED IN THE BASIC AGREEMENT ON SUEDEGELAENDE REACHED FEBRUARY 21, 1974. THE GDR WOULD EXPECT THAT AN APPROPRIATE PROTOCOL WOULD BE AGREED TO BY THE TWO NEGOTIATING PARTNERS. WHEN KUNZE OBSERVED THAT GDR'S POSITION ON SUEDEGELAENDE HAD APPARENTLY NOT CHANGED, MITDANK REPLIED THAT THE BALL WAS IN THE SENAT'S COURT AND THAT HE COULD NOT NEGOTIATE FURTHER UNTIL THE QUESTION OF FINANCING HAD BEEN STRAIGHTENED OUT.

8. SPANDAU LOCK. MITDANK TRANSMITTED THE GDR'S WILLINGNESS TO NEGOTIATE THE EXPANSION OF THE SPANDAU LOCK BASED ON THE PREPARATORY DISCUSSIONS OF DECEMBER 1974. WITH RESPECT TO THE SPANDAU LOCK, THE GDR STILL DEMANDS THAT ANY AGREEMENT BE CONFIRMED BY AN EXCHANGE OF LETTERS. THE EXCHANGE OF LETTERS MUST MAKE CLEAR THAT THE MINISTERS FOR TRANSPORT OF THE GDR AND THE SENATOR FOR CONSTRUCTION AND HOUSING HAD APPROVED THE NEGOTIATED AGREEMENT AND THAT THE AUTHORITY TO SIGN THE AGREEMENT HAD BEEN APPROVED BY THE MINISTER AND SENATOR. KUNZE NOTED THAT HERE AGAIN THE GDR HAD NOT CHANGED ITS POSITION. MITDANK CLAIMED THE GDR HAD MADE A MAJOR CONCESSION TO THE SENAT BY NOT INSISTING THAT THE SENATOR AND MINISTER ACTUALLY SIGN THE EXCHANGE OF LETTERS.

9. IN ADDITION TO THE FOUR ABOVE-MENTIONED LONG STANDING ISSUES, MITDANK ALSO RAISED A NUMBER OF ADDITIONAL POINTS INVOLVING CANAL TRAFFIC, ENVIRONMENTAL PROTECTION, TELEX AND TELEGRAPHIC COMMUNICATION BETWEEN WEST BERLIN AND EAST BERLIN, AND DEGASIFICATION OF TANKERS.

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10. FRG-WEST BERLIN BARGE TRAFFIC AND CANAL REPAIR. MITDANK CLAIMED THAT THE AMOUNT OF TRAFFIC ON THE CANALS BETWEEN BERLIN AND THE FEDERAL REPUBLIC HAD INCREASED SIGNIFICANTLY, AND THAT THE TREND WAS TOWARDS A GREATER USE OF THE CANALS BY WESTERN BARGES. AS A RESULT, THE CANALS WERE INCREASINGLY IN NEED OF REPAIR AND IMPROVEMENTS. IT HAS BECOME NECESSARY, THEREFORE, TO INCREASE TARIFF RATES FOR THE USE OF THE CANALS. IN ADDITION, A SURCHARGE WILL HAVE TO BE LEVIED FOR BOATS USING LARGER-THAN-NORMAL MOTORS. THESE CHARGES WERE NECESSARY TO FINANCE THE ADDITIONAL REPAIR WORK CAUSED BY SUCH BOATS. FURTHER, THE GDR FELT COMPELLED TO IMPOSE SOME RESTRICTIONS ON TRAFFIC IN ORDER TO AVOID FURTHER DAMAGE TO THE CANALS. MITDANK SAID, ON THE OTHER HAND, IF THE WEST WERE INTERESTED IN SHARING THE COSTS OF THE

MAINTENANCE AND REPAIR OF THE CANALS, IT MIGHT BE POSSIBLE TO AVOID IMPOSING THESE EXTREMELY NECESSARY RATE INCREASES. KUNZE REPLIED HE AND THE SENAT WERE NOT COMPETENT TO DISCUSS THIS COMPLEX OF QUESTIONS. (COMMENT: DISCUSSING MATTER WITH SENAT LIAISON OFFICER, KUNZE SAID MITDANK PROPOSAL THAT SENAT OR FRG CONSIDER SHARING COST OF MAINTENANCE OF CANALS WAS TOTAL NON-STARTER. MAINTENANCE COSTS OF WATERWAYS IS ASTRONOMIC IN COMPARISON FOR EXAMPLE WITH HIGHWAY MAINTENANCE, AND, IN HIS OPINION, THE GERMANS SHOULD BE PREPARED TO ACCEPT HIGHER USAGE FEES. END COMMENT.)

11. LONG-DISTANCE TELEPHONE CONNECTIONS TO AND FROM BERLIN. MITDANK DECLARED HIS SIDE WAS PREPARED, IN ACCORDANCE WITH EXISTING AGREEMENTS, TO SWITCH OVER 60 SEMI-AUTOMATIC TELEPHONE LINES PRESENTLY IN USE FROM EAST BERLIN TO WEST BERLIN TO FULL AUTOMATIC LINES DURING THE COURSE OF THIS YEAR, AND WILL ADD 12 ADDITIONAL LINES TO THIS NUMBER. KUNZE REPLIED THAT HE WOULD MAKE NO COMMENT ON THIS PROPOSAL BECAUSE THE SUBJECT WAS NOT CONFIDENTIAL

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APPROPRIATE FOR HIM TO DISCUSS.

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12. SEWAGE DISPOSAL AND RELATED ENVIRONMENTAL QUESTIONS. MITDANK DECLARED THE GDR IS PREPARED TO CONTINUE EXPLORATORY TALKS ON THE QUESTION OF SEWAGE DISPOAL AND OTHE RE-LATED ENVIRONMENTAL QUESTIONS AFFECTING THE WATERS IN AND AROUND WEST BERLIN. KUNZE REPLIED THAT THE SENAT HAD FOR SOME TIME BEEN PREPARED TO DISCUSS SUCH MATTERS, BUT THAT THE GDR HAD NOT SHOWN ANY INTEREST WHEN THE SENAT HAD RAISED THE SUBJECT ON EARLIER OCCASIONS. MITDANK REPLIED, HOWEVER, THAT IT WAS THE SENAT'S TURN TO INVITE THE GDR FOR A CONTINUATION OF THESE DISCUSSIONS. KUNZE, AFTER SOME DISCUSSION, AGREED THAT THE SENAT WOULD INVITE THE GDR TO FURTHER DISCUSSIONS IN THIS AREA. IN THE COURSE OF DISCUSSIONS ON ENVIRONMENTAL PROBLEMS, MITDANK AGAIN RAISED THE QUESTION OF AIR NOISE AND AIR POLLUTION EMANATING FROM ELECTRIC POWER PLANTS. KUNZE MADE CLEAR IN HIS RESPONSE THAT THE SENAT WAS NOT EHE APPROPRIATE DISCUSSION PARTNER FOR THE GDR ON THESE MATTERS.

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13. DELIVERY OF ENERGY FROM THE GDR TO WEST BERLIN. MITDANK RENEWED HIS OFFER OF DECEMBER 1974 TO HOOK WEST BERLIN INTO THE GDR ELECTRICITY NET OVER A PERIOD OF TIME UNTIL AT LEAST 300 MEGAWATTS OF ELECTRIC POWER COULD BE SUPPLIED TO WEST BERLIN BY THE GDR. KUNZE SAID HE WOULD TAKE NOTE OF MITDANK'S STATEMENT, BUT COULD SAY NOTHING MORE ABOUT IT.

14. DEGASIFICATION OF TANKERS. MITDANK NOTED THAT THE GDR HAD AGREED TO A DELAY SETTING A DEADLINE BY WHEN WESTERN TANKERS MUST BE DEGASIFIED IN ACCORDANCE WITH GDR REGULATIONS. SINCE HE KNEW OF NOTHING THAT HAD BEEN DONE BY WEST BERLIN AUTHORITIES, HIS SIDE NOW EXPECTED THAT DEGASIFICATION OF TANKERS WOULD BEGIN NO LATER THAN 1 OCTOBER 1977. KUNZE EXPRESSED REGRET THAT THIS NEW DEADLINE HAD BEEN SET.

15. REGULATION OF INTERNAL SHIPPING IN "BOUNDARY WATERS" OF THE GDR AND WEST BERLIN. MITDANK NOTED THAT ALONG THE SHORE OF THE SPREE-ODER CANAL AND BERLIN SPANDAU CANAL, THERE WERE A NUMBER OF WEST BERLIN FIRMS WHOSE BUILDINGS OR WAREHOUSES ABUTTED DIRECTLY ON THE WATER WAYS AND, THEREFORE, DIRECTLY ON THE "BORDER" BETWEEN THE GDR AND WEST BERLIN. WHEN RECEIVING SHIPMENTS OF GOODS OR DELIVERING GOODS BY BARGE, IT WAS THEREFORE NECESSARY FORGOODS TO BE TRANSPORTED

"ACROSS INTERNATIONAL BOUNDARIES" DURING THE LOADING AND UNLOADING PROCESS. THE GDR, MITDANK NOTED, HAD NEVER GIVEN ITS APPROVAL TO SUCH ACTIVITIES. HE PROPOSED THAT THIS BE REGULATED BY AN AGREEMENT BETWEEN THE GDR AND WEST BERLIN. KUNZE REPLIED HE HAD NOTHING TO SAY ON THIS MATTER BECAUSE THE SENAT WAS NOT RESPONSIBLE FOR THIS SUBJECT. REGULATION OF SUCH  
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MATTERS MUST BE CARRIED OUT ON THE BASIS OF THE TRANSIT OR TRANSPORTATION TREATIES BETWEEN THE FEDERAL GOVERNMENT AND THE GDR OR MUST BE VIEWED AS A BOUNDARY QUESTION FOR WHICH THE SENAT IS NOT COMPETENT. MITDANK DISPUTED KUNZE'S POSITION AND SAID THAT HIS SIDE COULD NOT LONG ENDURE THE UNCONTROLLED TRANSPORT OF GOODS INTO AND OUT OF GDR TERRITORY.

16. KUNZE ATTEMPTED TO ENGAGE MITDANK IN A DISCUSSION OF A FEW CASES INVOLVING WEST BERLINERS WHO HAD BEEN DENIED ENTRY INTO EAST BERLIN OR THE GDR. MITDANK REFUSED TO DISCUSS THE MATTER BECAUSE PREVIOUS PRESS REPORTING OF SUCH CASES MADE IT IMPOSSIBLE FOR HIM TO TAKE ANY FURTHER ACTION IN THESE INCIDENTS.

17. BOTH SIDES AGREED THAT THEY WOULD NOT REVEAL THE DETAILS OF THEIR DISCUSSIONS TO THE PRESS. GOVERNING MAYOR STOBBE HAS TAKEN THIS STATEMENT VERY SERIOUSLY, PERMITTING ONLY NINE COPIES OF THE PROTOCOL OF THE MITDANK-KUNZE DISCUSSION TO BE PREPARED. THREE COPIES WERE PROVIDED TO THE ALLIES, ONE TO SENAT REPRESENTATIVE IN THE FEDERAL REPUBLIC, AND THE REMAINDER TO THE SENAT CHANCELLERY. IT IS REQUESTED, THEREFORE, THAT THE DETAILS OF THIS DISCUSSION BE HELD TIGHTLY.

18. WE NOTE THAT THE QUESTION OF FINANCING THE S-BAHN, REPEATEDLY RAISED BY MITDANK IN THE PAST, DID NOT COME UP ON AUGUST 15. GEORGE

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## Message Attributes

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